IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 10TH JULY 2007 / 19TH ASHADHA 1929

WP(C).No. 8992 of 2005(U)

PETITIONER:

CINI CYRIL, HIGHER SECONDARY SCHOOL TEACHER (HSST), ST.ANTONY'S HIGHER SECONDARY SCHOOL, KANJIRACODE, KUNDARA, KOLLAM.

BY ADV. SRI.S.RAMESH BABU

RESPONDENTS:

---

1. THE STATE OF KERALA, REPRESENTED BY ITS SECRETARY, GENERAL EDUCAITION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR, DIRECTORATE OF HIGHER SECONDARY SCHOOL EDUCATION, SANTHI NAGAR, THIRUVANANTHAPURAM.

3. THE CORPORATE MANAGER, O/O.THE CORPORATE MANAGER OF CATHOLIC SCHOOLS, BISHOP'S HOUSE, KOLLAM 7.

BY GOVERNMENT PLEADER SMT.M.R.SREELATHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

Ext.P1: True copy of G.O.(MS)No.298/2000 dated 25.8.2000.

Ext.P2: True copy of the appointment order of the petitioner dated 16.10.2000.

Ext.P3: True copy of the appointment order dated 9.7.2001.

Ext.P4: True copy of the judgment dated 6.3.2003 in O.P.No.7765 of 2003.

Ext.P5: True copy of the proceedings dated 29.11.2003.

Ext.P6: True copy of the judgment dated 2.7.2004 in W.P.(C) No.17523/04.

Ext.P7: True copy of the appeal of the petitioner dated 3.8.2004.

Ext.P8: True copy of the order dated 17.12.2005.

Ext.P9: True copy of the G.O.(MS)No.199/2003/G.Edn. Dated 24.7.2003.

Ext.P10: True copy of the relevant portions of judgment dated 22.1.2003 in W.A.No.2245 of 2002.

Ext.P11: True copy of G.O.(MS)No.91/2007/G.Edn. Dated 7.5.2007.

// True copy//

P.A. to Judge

jes

A.K.BASHEER, J.

W.P.(C)No.8992 OF 2005

Dated this the 10th day of July, 2007

JUDGMENT

Learned counsel for the petitioner submits that petitioner will be satisfied, if a direction is issued to respondent no.2 to take a decision in the matter in the light of Ext.P11 order of the Government [G.O.(MS)No.91/07/G.Edn. dated May 7, 2007].

2. Therefore, the writ petition is disposed of with a direction to respondent no.2 to take a fresh decision in the matter ignoring Ext.P8, after affording sufficient opportunity of hearing to the petitioner. The order shall be passed keeping in view Ext.P11 order issued by the Government. This shall be done as expeditiously as possible, at any rate, within three months from the date of receipt of a copy of this judgment. It will be open to the petitioner to raise all her contentions including those in relation to consequential service benefits, before respondent no.2 who shall take a decision in accordance with law.

Writ petition is disposed of as above.

A.K.BASHEER, JUDGE

jes